

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES

PLAINTIFF

Counsel: AUSAs Cameron McCree and Jamie Dempsey

v.

No. 4:19-cr-437-DPM

TOMMY COLLIER

DEFENDANT

Counsel: Chris Baker and Drew Curtis

CLERK'S MINUTES - CRIMINAL JURY TRIAL

Judge: D.P. Marshall Jr.

Court Reporters: Graham Higdon/Valarie Flora

Law Clerk: Christoph Keller

CRD: Sherri Black

TUESDAY, 1 AUGUST 2023 - DAY ONE

Court Reporter: Graham Higdon

9:33 a.m. The Court is on the record

9:51 a.m. Venire seated. Court calls the case for Jury trial

Voir Dire begins

Several potential jurors excused for cause

10:51 a.m. Break

11:07 a.m. Back on the record

Additional potential jurors excused for cause

12:09 p.m. Voir Dire by Defense counsel, Drew Curtis

12:13 p.m. Voir Dire for government by Jamie Dempsey

Additional potential juror excused for cause

12:27 p.m. Potential Jurors excused for break

12:52 p.m. Back on the record for strikes

1:03 p.m. 12 jurors plus 1 alternate selected. There were no Batson challenges

1:07 p.m. Potential Jurors returns to courtroom

1:08 p.m. Jury of twelve and one alternate sworn and seated
Preliminary instructions given

1:15 p.m. Break

2:18 p.m. Back on the record

2:19 p.m. Jury seated
Jury instructions given

3:01 p.m. Opening statement by Government's counsel, Cameron McCree

3:03 p.m. Opening statement by defense counsel, Drew Curtis

3:05 p.m. Government calls Witness 1. Direct examination by C. McCree
Defense Exhibits 11-13

Government's Exhibits 3, 1A-1K (admitted)

3:45 p.m. Break

4:04 p.m. Back on the record

Direct examination of Government Witness 1 continues

Defense Exhibit 13

Government's Exhibits 2 (Clip 5 ordered to be edited), 4, 6, 7, 8 (admitted), 9, 11 (admitted), 12-17

5:01 p.m. Jury excused and Court in recess until 9 a.m. on Wednesday, 2 August 2023

WEDNESDAY, 2 AUGUST 2023 - JURY TRIAL - DAY TWO
Court Reporter: Valarie Flora

9:06 a.m. Back on the record for a hearing outside the presence of the jury
Government's Exhibit 1L admitted

9:13 a.m. Jury seated

9:16 a.m. Cross examination of Government's Witness 1 by Drew Curtis
Defense Exhibit 18 admitted

9:37 a.m. Redirect of Government's Witness 1 by Cameron McCree

9:40 a.m. Recross of Government's Witness 1 by Chris Baker

9:50 a.m. Government calls Witness 2. Direct examination by Jamie Dempsey

Government's Exhibit 2, 11, 12, 14

10:24 a.m. Break

10:51 a.m. Back on the record

10:52 a.m. Cross examination of Government's Witness 2 by C. Baker
Government's Exhibit 2

Defense Exhibit 18

11:34 a.m. Redirect of Government's Witness 2 by J. Dempsey

11:39 a.m. Break

COURT REPORTER: Graham Higdon

1:00 p.m. Back on the record for hearing outside the presence of the Jury

1:48 p.m. Break

1:54 p.m. Break

2:11 p.m. Back on the record

2:12 p.m. Jury seated

2:14 p.m. Government calls Witness 3. Direct examination by J. Dempsey
Defendant's Exhibit 7
Government's Exhibit 1

2:34 p.m. Cross examination of Government's Witness 3 by C. Baker
Defendant's Exhibits 4 and 7

2:57 p.m. Jury excused
Court inquires of Government Witness 3 and issues a ruling

3:08 p.m. Break

3:13 p.m. Back on the record
Cross examination of Government Witness 3 resumes by C. Baker
Defendant's exhibits 18, 7, 20 (admitted)

3:57 p.m. Redirect of Government Witness 3 by J. Dempsey
Defendant's Exhibit 7

4:02 p.m. Jury excused and break taken

4:19 p.m. Back on the record

4:20 p.m. Jury seated

- 4:21 p.m. Government calls Witness 4. Direct examination by C. McCree
- 4:33 p.m. Cross examination of Government Witness 4 by D. Curtis
- 4:38 p.m. Jury excused until 9:00 a.m. on 3 August 2023
- 4:42 p.m. The Court hears argument from defense counsel regarding a motion to dismiss which was denied. Letter briefs ordered on Isomers.
- 4:56 p.m. Court inquires of Defendant about his right to testify or not testify and he will testify tomorrow
- 5:15 p.m. Court in recess until 8:30 a.m. on Thursday, 3 August 2023

WEDNESDAY, 3 AUGUST 2023 - JURY TRIAL - DAY THREE

Court Reporter: Graham Higdon

- 8:47 a.m. Back on the record for a hearing outside the presence of the jury regarding jury instructions
- 9:04 a.m. Jury seated
- 9:05 a.m. Defense calls, Witness 1. Direct examination by D. Curtis
- Government's Exhibit 4 admitted
- 9:34 a.m. Cross examination of Defense Witness 1 by C. McCree
- 9:35 a.m. Break
- 9:56 a.m. Back on the record
- Cross examination of Defense Witness 1 by C. McCree resumes
- 10:03 a.m. Redirect of Defense Witness 1 by D. Curtis
- 10:06 a.m. Defense rests

10:07 a.m. Jury excused

10:08 a.m. Defense renews motion. Court and counsel address jury instructions

10:54 a.m. Break

11:32 a.m. Back on the record

11:33 a.m. Jury seated
Jury Instructions given

11:56 a.m. Closing argument for the government by C. McCree

12:15 p.m. Closing argument for defense by D. Curtis

12:27 p.m. Second closing for the government by J. Dempsey

12:31 p.m. Final instructions

12:32 p.m. Bailiff sworn

12:33 p.m. Jury deliberations begin

12:38 p.m. Court in recess during deliberations

2:14 p.m. Back on the record-a verdict has been reached

2:16 p.m. Jury seated
Verdict read
Guilty verdict

2:19 p.m. Jury polled

2:24 p.m. Jury discharged

2:33 p.m. Defendant ordered detained
Sentencing will be set by separate notice

Order to follow on the defense's motion for Judgment for
acquittal

2:34 p.m. Court adjourned